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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

Edible IP, LLC and Edible  
Arrangements, LLC,

*Plaintiffs,*

-v.-

World Media Group, LLC,

*Defendant.*

Civil Action File No: 3:20-cv-19178-MAS-LHG

Michael A. Shipp, U.S.D.J.  
Lois H. Goodman, U.S.M.J.

**PLAINTIFFS' REPLY TO DEFENDANT'S COUNTERCLAIM**

Plaintiffs and counterclaim defendants Edible IP, LLC and Edible Arrangements, LLC ("Edible"), submit their Reply to the Counterclaim of defendant-counterclaim plaintiff World Media Group, LLC.

**AS TO FIRST COUNTERCLAIM**

(Declaratory Judgment Of Noninfringement)

1. Edible lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 1.
2. Edible lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 2.
3. Denied.

4. Edible admits that Defendant appears to be the owner of www.edibles.com and worldmediagroupllc.com. Edible lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 4.

5. Admitted.

6. Edible admits that Defendant purports to bring this counterclaim under the trademark laws of the United States, Title 15, United States Code and that jurisdiction is proper under Section 39 of the Lanham Act, 15 U.S.C. § 1121, and 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a) and (b). Edible denies that Defendant is entitled to the requested judgment or any relief.

7. Admitted for purposes of this counterclaim only.

#### **FIRST COUNTERCLAIM**

(Declaratory Judgment Of Noninfringement)

8. Edible incorporates by reference each response contained in paragraphs 1-7 above as if fully set forth herein.

9. Edible admits only that the instant lawsuit challenges the propriety of Defendant's continued registration and use of the edibles.com Domain Name, Defendant's use of the term EDIBLES, and Defendant's infringement of Edible's intellectual property rights. Edible denies any and all remaining allegations in paragraph 9.

10. Denied.

11. Denied.

#### **PRAYER FOR RELIEF**

The final unnumbered "wherefore" clause of the Counterclaim contains a prayer for relief to which no response is required. To the extent a response is required, Edible denies that Defendant is entitled to any relief, including, but not limited to, the relief requested in the wherefore clause. Any allegations not specifically admitted herein are denied.

**RESERVATION OF DEFENSES**

Edible IP, LLC and Edible Arrangements, LLC allege that they intend to rely upon such other defenses as may become available or apparent during the course of investigation, discovery, or trial, and Edible IP, LLC and Edible Arrangements, LLC reserve the right to amend their Reply to Defendant's Counterclaims to assert such other defenses to which they may be entitled.

WHEREFORE, Plaintiffs demand judgment as follows:

- (a) Dismissing the Defendant's Counterclaims in their entirety and with prejudice;
- (b) Awarding costs and disbursements, including reasonable attorney fees; and
- (c) For such other and further relief as this Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Edible IP, LLC and Edible Arrangements, LLC hereby demand a jury trial for all issues so triable.

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**CERTIFICATE OF SERVICE**

I hereby certify on January 13, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Dated: January 13, 2021

/s/ Stephen J. Steinlight